

### **REMARKS**

This amendment is responsive to the Office Action of July 28, 2004. Reexamination and reconsideration of the application are respectfully requested.

**Claims 33 and 40** stand rejected under 35 USC §112, first paragraph.

**Claims 28-35** stand rejected under 35 USC §102(b) as being anticipated by or, in the alternative, under 35 USC §103(a) as obvious over Koncsek et al. (US Patent No. 5,881,758).

**Claims 18-27 and 36-42** stand rejected under 35 USC §103(a) as being unpatentable over Koncsek et al. in view of Tindell (US Patent No. 5,447,283).

### **Request for Telephone Interview**

Applicants thank the Examiner for the courtesies extended during the telephonic interview on December 28, 2004. As we discussed, Applicants request that the Examiner contact the applicants' attorney, Brian Kondas, at (216) 622-8308 to discuss the claims of the present application.

### **The Claims of the Present Application Distinguish Over the Cited References**

**Claim 18** recites entire external surfaces are aligned with the flow of the aircraft. Koncsek et al. (Koncsek) shows in Figure 3, for example, an external surface forming an inlet that is narrower at one end (e.g., the left end of Figure 3) than at the other end (e.g., the right end of Figure 3). More specifically, respective lips 72 of each of the cowl surfaces 68, 70 are curved inward in each of FIGURES 2-10 of Koncsek.

Because the lips **72** are curved inward, the entire external surfaces of the cowl surfaces **68, 70** are not aligned with the flow of the aircraft as recited in **claim 18**.

Although the Examiner has pointed to column 5 of Koncsek as disclosing an inlet/duct aligned with a flow of an aircraft, Applicants submit that column 5 of Koncsek merely discloses a rectangular engine having vertical walls. Furthermore, a rectangular inlet having vertical walls does not necessarily include external surfaces that are aligned with the flow of an aircraft, as recited in **claim 18**. More specifically, the walls of the inlet/duct have a thickness and, additionally, each wall has an internal surface and an external surface. At any point along the wall, the distance between the internal and external surfaces defines the thickness of the wall. As illustrated in FIGURES 2-10 of Koncsek, the thickness of the inlet varies between the lip (leading edge) at **72** and an associated engine. Furthermore, as discussed above, the external cowl surfaces **68, 70** of Koncsek include respective lips **72** that are curved inward while, at the same time, the thickness of the inlet at that point is small. Because the lips **72** curve inward, the entire external surfaces **68, 70** cannot be aligned with the flow of the aircraft, as recited in **claim 18**. For the reasons discussed above, even if Koncsek discloses a rectangular inlet/duct, Koncsek fails to disclose, and is not concerned with, entire external surfaces that are aligned with the flow of the aircraft, as recited in **claim 18**.

Tindell discloses a boundary layer control for an aircraft. However, Tindell fails to disclose, and is not concerned with, entire external surfaces aligned with a flow of an aircraft, as recited in **claim 18**.

As discussed above, neither Koncsek nor Tindell discloses, or is concerned with, entire external surfaces aligned with a flow of an aircraft, as recited in **claim 18**. Therefore, **claim 18**, along with **claims 20-23, 36, 37, and 40-42**, which depend therefrom are patentable over Koncsek and Tindell, either taken alone or in combination.

**Claim 19** recites external surfaces that are aligned with airflow of an aircraft from a leading edge to an associated engine. As discussed above, neither Koncsek nor Tindell discloses, or is concerned with, external surfaces that are aligned with airflow of an aircraft from a leading edge to an associated engine, as recited in **claim 19**. More specifically, the lips **72** of Koncsek are not aligned with the airflow of the aircraft. Furthermore, Tindell fails to disclose, and is not concerned with, external surfaces that are aligned with airflow of an aircraft from a leading edge to an associated engine. Therefore, **claim 19**, along with **claims 24-27, 38, and 39** which depend therefrom, are patentable over Koncsek and Tindell, either taken alone or in combination.

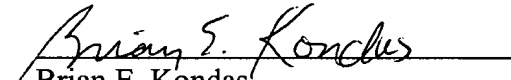
**Claim 28** recites one or more external surfaces that are entirely aligned with flow of air to an inlet. As discussed above, neither Koncsek nor Tindell discloses, or is concerned with, external surfaces that are entirely aligned with flow of air to an inlet, as recited in **claim 28**. More specifically, the lips **72** of Koncsek are not aligned with the airflow of the aircraft. Furthermore, Tindell fails to disclose, and is not concerned with, external surfaces that are aligned with flow of air to an inlet. Therefore, **claim 28**, along with **claims 29-35** which depend therefrom, are patentable over Koncsek and Tindell, either taken alone or in combination.

**CONCLUSION**

For the foregoing reasons, it is submitted that the claims of the present application are in condition for allowance. Early notice thereof is respectfully requested.

Respectfully submitted,

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